

#### 4VAC15-90-520 (New)

#### Game: Deer: Special provisions for hunting elk within the Elk Management Zone

##### **Summary:**

The proposal establishes provisions related to the methods of hunting elk within the Elk Management Zone.

##### **Proposed language of the amendment:**

#### **4VAC15-90-520. Special provisions for hunting elk within the Elk Management Zone**

- A. It shall be unlawful for any person to destroy the identity of the sex of any harvested elk unless and until requirements outlined in this section are met. Successful elk hunters are allowed to dismember the carcass to pack it out from the place of kill, as long as evidence of the sex remains naturally attached to a major portion of the meat. Once the requirements for tag validation, reporting and biological sampling have been met, in accordance with 4VAC15-90-510, evidence of sex is no longer required.
- B. Any elk found in the possession of any person without a validated (notched) license tag or documentation that the elk has been reported, in accordance with 4VAC15-90-510, shall be forfeited to the Commonwealth to be disposed of as provided by law.
- C. It is unlawful for a person to fail to reasonably attempt to dress, care for, and remove from the field the edible portions of any harvested elk at a minimum the meat from front shoulders, back quarters, and back-straps. Violation of this subsection shall constitute wanton waste for the purposes of section § 29.1-553.1
- D. It shall be unlawful to hunt elk with dogs. This subsection shall not prohibit the use of tracking dogs which may be used in accordance with § 29.1-516.1.
- E. It shall be unlawful to drive elk from any area including man-drives, pushing with vehicles, or any other human action that is intended to cause animals to move into a harvestable situation.
- F. The special elk hunting license shall be valid on all private land, with written permission from the landowner, within the Elk Management Zone. The special elk hunting license shall also be valid on public lands as designated on an individual's special elk hunting license. This is only applicable to special elk hunting licenses awarded through the random drawing and conservation license programs.
- G. Elk hunters 15 years of age and under or holders of an apprentice hunting license must be accompanied by, and directly supervised by, an adult who has a valid Virginia hunting license or is exempt from purchasing a hunting license. Adult hunters accompanying youth or apprentice hunters on a special elk hunt may not carry or discharge weapons.

##### **Rationale:**

This proposal relates to the pursuit of elk by hunters within the Elk Management Zone and the requirements of the hunter after the successful harvest of an elk. The requirement to maintain evidence of sex after an elk is successfully harvested is consistent with other big game species regulations but also

includes requirements ensuring the Department has the opportunity to collect biological samples. In accordance with the VA Elk Management Plan, biological sampling of elk is conducted on harvested or dead elk as part of a proactive disease sampling effort. Because of the limited harvest opportunities for elk within the EMZ and the substantial investment in the VA elk restoration, the proposed wanton waste requirements will promote the maximum utilization of a harvested elk. Defining which lands a special elk hunting license is valid on allows the Department the ability to promote equitable portions of public lands to each hunter, while also allowing hunters the autonomy to pursue elk on any private lands they have permission to hunt on. Because elk are a herd animal, prohibiting both the use of dogs and man drives in the hunting of elk will limit disturbance to the elk herd and other elk hunters. Prohibiting the use of dogs in the hunting of elk is also consistent with similar restrictions for deer hunting within the Western portion of the Commonwealth. Sections related to youth or apprentice hunters are consistent with subsequent sections in other big game species regulations.